

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*  
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM

Sections 3 and 7

**MOTION FOR DEFAULT JUDGMENT**

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order granting default judgment against the following defendants:

Chris Martinez                      CHRB-004-0042  
Roberto Martinez

Chris Montañó                      CHCJ-002-0050  
   CHCJ-003-0030

Ensenada MDWCA                      CHRB-004-0062

and as grounds therefore plaintiff states:

1. Defendants Chris Martinez, Chris Montañó and Ensenada MDWCA are in default for failure to appear, answer, or otherwise defend in this cause, as shown by the Clerk's Certificate of Default filed December 7, 2007 (Doc. No. 9043). Defendant Roberto Martinez is in default for failure to appear, answer, or otherwise defend in this cause, as shown by the Clerk's Certificate of Default filed November 26, 2007 (Doc. No. 9021).

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting

default judgment against the above-named defendants incorporating the terms of the State's proposed consent orders and in conformance with the Office of the State Engineer Hydrographic Surveys for Sections 3 and 7 of the Rio Chama Stream, as amended.

Respectfully submitted,

/s/ Ed Newville  
EDWARD G. NEWVILLE  
Special Assistant Attorney General  
Office of State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
(505) 867-7444

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on the 3 day of January, 2008 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM-ECF participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Chris Martinez  
Roberto Martinez  
P.O. Box 271  
Tierra Amarilla, NM 87575

Chris Montaño  
5404 Monterey Cove NW  
Albuquerque, NM 87114

Ensenada Mutual Water Consumers' Association  
Tess Casados  
P.O. Box 32  
Tierra Amarilla, NM 87575

/s/ Ed Newville  
EDWARD G. NEWVILLE